

undergo a confinement in the penitentiary for a period not less than one year nor more than six years, and shall be disqualified

6. Of burning, or attempting or conspiring to burn, any court-house, prison, &c. church, college, &c.

to serve on juries for ever thereafter. 6th. If any person shall wilfully burn, or attempt or conspire to burn, any court-house, or county or public prison, or the penitentiary, poor house, magazine or lazaretto, or public warehouse, or any other building belonging to this state, or the different counties, cities or towns, or bodies corporate in this state, or the office of the clerk or register of any court in this state, or the state house of this state, or any public office contained therein, or any public office in this state of any kind whatever, or church or house of worship, college, academy or public school house, engine house, market house, scale house, watch house, or public barrack, such person or persons, and his, her or their aiders, abettors and counsellors, and each of them, shall be deemed felons, and, on being duly convicted thereof, shall suffer death by hanging by the neck, or be sentenced to undergo a confinement in the penitentiary for a period of time not more than fifteen years, to be treated as the law directs. 7th. Every person duly convicted of the crime of wilfully and maliciously burning or destroying, or attempting or conspiring to burn or destroy, any public arsenal or magazine of provisions, or of military or naval stores, belonging to this state, or subject to the jurisdiction of this state, or of wilfully and maliciously burning or destroying, or attempting or conspiring to burn or destroy, any military or naval stores, ship or vessel, belonging to this state, the United States, or any one of them, shall suffer death by hanging by the neck, or be sentenced to undergo a confinement in the penitentiary for a period not less than three nor more than ten years, to be treated as the law directs.

7. Of burning or destroying, or attempting or conspiring to burn or destroy any public arsenal, magazine, &c.

Slaves, in cases not punishable by hanging, may be whipped, transported and sold.

SEC. 9. *And be it enacted*, That if any negro or mulatto slave shall be duly convicted of any crime herein mentioned, which may not, in the discretion of the court, under this act, be punished by hanging by the neck, such negro or mulatto slave, instead of confinement in the penitentiary, may, in the discretion of the court, be sentenced to receive on his or her bare back any number of lashes, not exceeding one hundred, and the court may also sentence such negro or mulatto slave to be banished from this state, by transportation and sale, into some foreign country, for the benefit of the state or county, as the case may be, with as full power and authority as the governor may now exercise under an act,* entitled, an act declaring the power of the governor in certain criminal cases, such negro or mulatto slave to be valued and paid for in the manner herein-after directed, and nothing in this act contained shall be construed to deprive justices of the peace of any power or au-

* 1795, ch. 82.